

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Patent Application for:**

**SUPER DISTRIBUTION OF MUSIC**

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and Phuong Nguyen

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7                   **SUPER DISTRIBUTION OF MUSIC**  
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11                   **FIELD OF THE INVENTION**  
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13       This invention relates generally to the field of electronic music distribution  
14       and other forms of electronic entertainment content. More particularly, this  
15       invention relates to a so-called super distribution techniques.  
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30                   **BACKGROUND OF THE INVENTION**  
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1 invention will become apparent to those skilled in the art upon consideration of the  
2 following detailed description of the invention.

3 In one embodiment of the present invention, a method of purchasing  
4 electronic entertainment content includes receiving an electronic sample of the  
5 entertainment content; receiving a link to a source of purchase of a complete copy  
6 of the entertainment content; using the link to connect to the source of purchase  
7 of the complete copy; and purchasing the complete copy.

8 In another embodiment consistent with the present invention, a method of  
9 purchasing music includes receiving an electronic sample of a music selection as  
10 an attachment to an email message from a sender, wherein the sample comprises  
11 a computer file containing a compressed music sample; receiving a URL link to a  
12 source of purchase of a complete copy of the music selection; using the URL link  
13 to connect to the source of purchase of the complete copy; purchasing the  
14 complete copy of the music selection, wherein the purchased copy of the music  
15 selection is delivered via an electronic file transfer over the Internet.

16 In another embodiment consistent with the present invention, a method of  
17 purchasing music includes receiving a URL as an attachment to an email message  
18 from a sender, the URL providing a link to a streaming music sample; the URL  
19 further providing a link to a source of purchase of a complete copy of the music  
20 selection; using the URL link to connect to the source of purchase of the complete  
21 copy; purchasing the complete copy of the music selection, wherein the purchased  
22 copy of the music selection is delivered via an electronic file transfer over the  
23 Internet.

24 In another embodiment consistent with the present invention, a method of  
25 purchasing music includes receiving an electronic sample of a music selection as  
26 an attachment to an email message from a sender, wherein the sample comprises  
27 a computer file containing a compressed music sample and an encrypted version  
28 of the music selection; receiving a URL link to a source of purchase of a complete  
29 copy of the music selection; using the URL link to connect to the source of  
30 purchase of the complete copy; purchasing the complete copy of the music

1 selection; and unlocking a complete copy of the music selection embodied in the  
2 sample by decrypting the encrypted version of the music selection.

3 In another embodiment consistent with the present invention, a method of  
4 purchasing entertainment content includes receiving an electronic sample of the  
5 entertainment content as an attachment to an email message from a sender,  
6 wherein the sample comprises a computer file containing an unencrypted sample  
7 along with an encrypted version of the entertainment content; receiving a URL link  
8 to a source of purchase of a complete copy of the entertainment content; using the  
9 URL link to connect to the source of purchase of the complete copy; purchasing  
10 access to the complete copy of the entertainment content; and unlocking the  
11 complete copy of the entertainment embodied in the sample by decrypting the  
12 encrypted version of the entertainment content.

13 In another embodiment consistent with the present invention, a method of  
14 distributing entertainment content includes distributing a sample of the  
15 entertainment content, wherein the sample comprises a computer file containing  
16 an unencrypted sample along with an encrypted version of the entertainment  
17 content; receiving payment for the complete copy of the entertainment content from  
18 a purchaser via the Internet; sending an encryption key to the purchaser via the  
19 Internet for unlocking the complete copy of the entertainment embodied in the  
20 sample.

21 In another embodiment consistent with the present invention, a method of  
22 electronic distribution of entertainment content includes distributing an email  
23 message containing a link to a sample of the entertainment content; providing a  
24 link to purchase the entertainment content; receiving payment from a purchaser for  
25 the entertainment content via the Internet; and transferring a file to the purchaser  
26 via the Internet.

27 In another embodiment consistent with the present invention, a method of  
28 rewarding electronic distribution of entertainment content includes providing a link  
29 to purchase the entertainment content; receiving payment from a purchaser for the  
30 entertainment content via the Internet; transferring a file to the purchaser via the

Internet; determining that the purchaser received a sample of the entertainment content from a sender; and awarding an affinity credit to the sender.

An electronic commerce server consistent with an embodiment of the invention includes a programmed processor. The programmed processor is coupled to the Internet. A program running on the programmed processor carries out the process of: providing a link to purchase the entertainment content; receiving payment from a purchaser for the entertainment content via the Internet; transferring a file to the purchaser via the Internet; determining that the purchaser received a sample of the entertainment content from a sender; and awarding an affinity credit to the sender.

In various methods and apparatus for distribution of music and other entertainment content, a music or (other entertainment content) sample is received as an attachment to an email. The recipient also receives a link to a source of purchase of the full music selection. In one embodiment, the full music selection is embodied as part of the music sample file and can be purchased by decryption. In another embodiment, the full copy of the music selection can be delivered as a download from the Internet. In other embodiments, the music sample is embodied as a link to a streaming music sample.

The above summaries are intended to illustrate exemplary embodiments of the invention, which will be best understood in conjunction with the detailed description to follow, and are not intended to limit the scope of the appended claims.

## **BRIEF DESCRIPTION OF THE DRAWINGS**

The features of the invention believed to be novel are set forth with particularity in the appended claims. The invention itself however, both as to organization and method of operation, together with objects and advantages thereof, may be best understood by reference to the following detailed description of the invention, which describes certain exemplary embodiments of the invention, taken in conjunction with the accompanying drawings in which:

1           **FIGURE 1** illustrates a music or other audio sample within a digital music  
2 file.

3           **FIGURE 2** is a high level flow chart of a music clipping process consistent  
4 with embodiments of the present invention.

5           **FIGURE 3** illustrates a music sample within a digital audio file using start  
6 and stop flags.

7           **FIGURE 4** illustrates a music sample within a digital audio file using a  
8 header to define a sample.

9           **FIGURE 5** is a flow chart of an embodiment of a sampling technique  
10 consistent with certain embodiments of the invention.

11          **FIGURE 6** is a flow chart of another embodiment of a sampling technique  
12 consistent with certain embodiments of the invention.

13          **FIGURE 7** is a flow chart of a third embodiment of a sampling technique  
14 consistent with certain embodiments of the invention.

15          **FIGURE 8** illustrates an exemplary embodiment of a user interface of a  
16 media player that can employ a music clipping process according to embodiments  
17 of the present invention.

18          **FIGURE 9** is a flow chart illustrating a music clipping and distribution  
19 process consistent with certain embodiments of the present invention.

20          **FIGURE 10** is a flow chart illustrating another music clipping and distribution  
21 process consistent with certain embodiments of the present invention.

22          **FIGURE 11** illustrates an exemplary embodiment of a user interface of an  
23 electronic mail application consistent with certain embodiments of the present  
24 invention.

25          **FIGURE 12** illustrates an exemplary embodiment of a user interface of an  
26 electronic mail application showing an "Attach Menu" consistent with certain  
27 embodiments of the present invention.

1           **FIGURE 13** illustrates an exemplary embodiment of a user interface of an  
2 electronic mail application showing an attached audio file consistent with certain  
3 embodiments of the present invention.

4           **FIGURE 14** illustrates an exemplary embodiment of a user interface of an  
5 electronic mail application showing an attached link to an audio sample consistent  
6 with certain embodiments of the present invention.

7           **FIGURE 15** is an exemplary system block diagram of an email system using  
8 an enterprise email server according to certain embodiments of the invention.

9           **FIGURE 16** is a flow chart illustrating the operation of the email server of  
10 **FIGURE 15** according to an embodiment of the present invention.

11          **FIGURE 17** is a flow chart illustrating a process for awarding affinity points  
12 consistent with certain embodiments of the present invention.

13          **FIGURE 18** is a flow chart illustrating another process for awarding affinity  
14 points consistent with certain embodiments of the present invention.

15          **FIGURE 19** illustrates an exemplary embodiment of a user interface of an  
16 electronic mail application showing an attached audio file and link to purchase  
17 options consistent with certain embodiments of the present invention.

18

## 19           DETAILED DESCRIPTION OF THE INVENTION

20          While this invention is susceptible of embodiment in many different forms,  
21 there is shown in the drawings and will herein be described in detail specific  
22 embodiments, with the understanding that the present disclosure is to be  
23 considered as an example of the principles of the invention and not intended to limit  
24 the invention to the specific embodiments shown and described. In the description  
25 below, like reference numerals are used to describe the same, similar or  
26 corresponding parts in the several views of the drawings.

27          Referring now to **FIGURE 1**, a music file, or other audio file, is generally  
28 represented as 100. The music file can be viewed as a linear file of data extending  
29 from left to right as time increases in **FIGURE 1**. When streamed from a server or

1 disc drive or the like, the music file 100 will play for a time duration shown as  $T_{SONG}$ .  
2 The desired music sample including the so-called "hook" (i.e., a memorable  
3 passage of the music that is likely to attract a potential buyer's attention), can be  
4 represented as a segment of the file shown as "music sample" 104 starting at  
5 times  $T_{START}$  and ending at time  $T_{STOP}$ . Depending on the individual music selection  
6 and also dependent in general upon the particular genre of music, the start of the  
7 hook is generally located somewhere around 45 to 60 seconds into a typical 3  
8 minute popular music selection. With other genres of music, such as jazz or  
9 classical music, the hook might appear significantly later or earlier. Additionally,  
10 for example, 1950s rock and roll hooks typically occur somewhat sooner. Thus, the  
11 start time for the sample may range from about 30 to about 60 seconds.

12 Generally speaking, current mass marketed music that may benefit most  
13 from the music sampling described herein falls within the category of popular  
14 music. In this case, the hook typically starts, as previously noted, between 45 and  
15 60 seconds into the selection. Thus, a music sample of approximately 30 seconds  
16 can be generated by simply taking a clipping from the original music file starting at  
17 approximately 45 to 60 seconds (or slightly earlier, e.g., 5 to 15 seconds earlier)  
18 and lasting for a duration of approximately 30 seconds. For jazz or classical  
19 selections, it is beneficial to take a longer music selection of perhaps 45 to 60  
20 seconds since a 30 second clip may not present a representative sample of the  
21 music selection.

22 Referring now to **FIGURE 2**, an overall process for creating a music clipping  
23 suitable for super distribution is illustrated as process 120 that starts at 124.  
24 Generally the music sample is extracted as a segment of the music selection file  
25 100 at 128. At 132 the selected sample segment is compressed using any suitable  
26 compression technique to reduce the file size. Any suitable compression  
27 technique can be utilized for this purpose including lossy compression techniques  
28 and reduction of the data rate (the streaming data rate) associated with the music  
29 selection. In general, although such compression degrades the fidelity of the  
30 resulting sample segment, it is more desirable to degrade the sample quality

1 somewhat then to have a resulting sample file that is large and thus more difficult  
2 to readily distribute (for example, over the Internet). At 140 the process terminates  
3 to return a music clipping for use. This process can be carried out by the end user,  
4 retail establishment, record company, publicist, marketing concern, artist or other  
5 private or commercial entity interested in promoting the audio selection.

6 In accordance with the embodiment illustrated in **FIGURE 1**, a fixed starting  
7 time is defined (e.g., 45 seconds from the start of the music selection) for  
8 extracting the music sample and the sample duration  $T_{SAMPLE}$  is also predefined  
9 (e.g., 30 seconds) to create a generally applicable music clipping. However, other  
10 techniques can also be utilized to perform the initial extraction of the sample  
11 segment (i.e. 128 of **FIGURE 2**). **FIGURE 3** illustrates a second technique for  
12 creating a music sample (or other audio or video sample) consistent with the  
13 embodiment of the present invention. In this embodiment, the sample is defined  
14 in the production and manufacturing process. In this technique, a preferred music  
15 sample 104 is preceded by a start flag shown as 154 and may also be followed by  
16 a stop flag shown as 158. Alternatively, only a start flag 154 may be used in  
17 conjunction with a predefined sample time defining the stopping point. In this  
18 embodiment, the sample can be automatically extracted from the file 150 by simply  
19 scanning the file for the location of start flag 154 and possible stop flag 158. Such  
20 flags can be readily embedded in a music file and can be ignored by the music file  
21 playing or, if interpreted by the player as music data, these flags are of such short  
22 duration as to be unlikely to be noticed by the human ear. The recorded audio  
23 along with start and stop flags can be recorded on any suitable electronic storage  
24 medium such as a compact disc.

25 A third technique for extracting a sample segment as in 128 of **FIGURE 2** is  
26 illustrated in connection with the use of file 170 of **FIGURE 4**. In this example, the  
27 music file 170 (or other audio or video file) includes a header 174 containing data  
28 relating to the music file 170. A portion of this data in header 174 can be defined  
29 to be either a starting packet number or starting time associated with the music

sample as well as possibly an ending packet number or ending time associated with the music sample. Alternatively, a sample duration could be specified. The recorded audio along with start and stop flags can be recorded on any suitable electronic storage medium such as a compact disc. Many variations of these techniques will occur to those skilled in the art and can be adapted for use with video as well as audio.

Referring now to **FIGURE 5**, a process for deriving a music sample as illustrated in **FIGURE 1** is shown as process 200. The process starts at 204. At 208, a starting point  $T_{START}$  is identified as a fixed time from the beginning of the music file. At 212, a stopping point  $T_{STOP}$  is identified as a fixed time into the audio file or equivalently a fixed time at  $T_{START}$ . At 218, the data between the starting point  $T_{START}$  and the stopping point  $T_{STOP}$  is extracted to define the segment of music to be used in creation of the sample. The process then returns at 224. Of course, those skilled in the art will appreciate that the extraction of the data may begin as soon as the starting point is identified. The extraction can then proceed until the sample time has expired or until the stopping point  $T_{STOP}$  is encountered.

Referring now to **FIGURE 6**, a process 240 starting at 244 describes the processes for extracting a sample segment from file 150 of **FIGURE 3** in file 170 of **FIGURE 4**. At 248 the header 174 is scanned for a sample start flag for starting time or starting packet identifier. At 252 the music file or header is scanned for the sample stop flag (or time or packet ID.) At 256 the data between the sample start and sample stop indicators (flag, time or packet ID) to define the sample segment to be used for ultimate creation of music clippings. The process returns at 260. Of course, those skilled in the art will appreciate that the extraction of the data may begin as soon as the starting point is identified. The extraction can then proceed until the sample time has expired or until the stopping point  $T_{STOP}$  is encountered.

Referring now to **FIGURE 7**, a variation of process 200 of **FIGURE 5** is illustrated starting at 282. At 208, the starting point is identified as a fixed time from the beginning of the music selection. Control then passes to 288 where the music

genre is identified. This can be accomplished by data supplied in a header such as header 174, by user selection or any other suitable mechanism. In the case of genre A, control passes to 290 where a stopping point is identified as the starting point plus a fixed time T1 into the music file. Control then passes to 292 where the data is extracted between the starting point and stopping point to provide the sample segment from the current music selection and the process returns at 294. However, if the music genre is determined to be B at 288, control passes to 298 where the stopping point is identified as the starting point plus a different time T2 into the music file. Control then passes to 292 as previously. In accordance with this embodiment, multiple types of music can be sampled to generate a more suitable sample based upon the type of music being sampled. Thus, genre A may be considered popular music while genre B may be classical music with T1 equaling 30 seconds and T2 equaling 60 seconds. While the process 280 is illustrated as having only two selections A and B, those skilled in the art will appreciate that any number of such selections are possible and can be defined to most closely match an appropriate time period for the selection of the sample based upon the particular type of music, audio video or other program material.

Samples created in accordance with any of the processes described above can be carried out by the end user, retail establishment, record company, publicist, marketing concern, artist or other private or commercial entity interested in promoting the audio selection.

The process just described can be implemented as a computer program or script operating as a portion of, for example, a computer media player. However, many other implementations are possible without departing from the present invention. In one alternative embodiment, an email enabled personal audio player can embody the functionality of the present invention, with email facilities provided via wireless or wired communication. The compressed music sample previously described can be generated as part of a media player in one embodiment of the invention so that a user can advantageously produce a music sample of a currently playing music selection and with a single click of a computer screen icon, push of

1 a button or other interface, initiate a process for sending that music sample to a  
2 friend (or potential customer).

3 **FIGURE 8** shows a simplified user interface for a media player 310. Media  
4 players similar to those provided by Microsoft, Real Networks as well as ATI and  
5 other corporations can be modified to provide this function. In the illustrative  
6 interface 310 shown in **FIGURE 8**, a display window 314 displays the artist and the  
7 name of the selection being played. Window 316 displays the elapsed time in this  
8 selection. Various play control buttons are provided such as search forward button  
9 320, scan forward button 322, search backwards button 324, scan backwards  
10 button 326, pause button 328 and start/stop button 330 in a familiar arrangement.  
11 In addition, the interface includes a button labeled as "send to friend" button 336.  
12 In other embodiments an icon such as an email envelope icon or the like can be  
13 also utilized. In this embodiment, the media player can send a sample of the  
14 currently playing selection to a friend, acquaintance or potential purchaser by use  
15 of the button 336. Those skilled in the art will appreciate that other user interfaces  
16 could also be used without departing from the invention.

17 **FIGURE 9** illustrates a process 350 starting at 352 for utilizing the media  
18 player 310 to send an email music sample to a friend or other recipient. At 356 the  
19 music player application associated with interface 310 of **FIGURE 8** is launched  
20 and proceeds to normal player operation at 360. The media player at 360 operates  
21 in a normal fashion under control of the user to play compact discs, .MP3 files,  
22 .AAC files, .WMA files or other recorded media in a conventional manner until such  
23 time as the user operates the "send to friend" control 336 as detected at 364.  
24 When this occurs, an email application is launched at 368, which automatically  
25 creates a new email message at 372. Control then passes to 376 where a music  
26 sample file is attached (if it currently exists) or is created according to one of the  
27 processes previously described (or any other suitable process) and then attached  
28 to the new email. Control then passes to 380 where an address book function is  
29 launched so that the user can select recipients at 384. The user continues to

1 select recipients for the email at 384 until completed at 388 at which point the user  
2 is passed to a conventional email edit screen wherein a new message can be  
3 created or edited at 392. The email functions just described can be carried out  
4 using an adaptation of software programs such as Microsoft Outlook<sup>TM</sup>, Microsoft  
5 Outlook Express<sup>TM</sup> or Lotus Notes<sup>TM</sup> as well as other email programs commercially  
6 available.

7 When the user has completed entering and editing the email message and  
8 recipients at 392, then the user elects to send the email by clicking a send button  
9 at 396 to cause the email to be sent at 398. Control then returns to 360 for normal  
10 media player operation. While **FIGURE 10** illustrates a sequential process wherein  
11 the normal media player operation is illustrated as a functional block that is  
12 separate and distinct from the process of sending the email, in preferred  
13 embodiments of the invention, the media player continues to play the music  
14 selection in the background while the creation of the email is carried out. This can  
15 be accomplished using various known techniques including buffering of the music  
16 and running the media player application as a background task. Other techniques  
17 can also be employed to permit the user to continue listening to music throughout  
18 the process described by 364 through 410 without departing from the invention. In  
19 other embodiments, the email can be created and buffered for later transmission  
20 when an email application is opened. Other variations will occur to those skilled  
21 in the art.

22 **FIGURE 10** illustrates a process 400 for carrying out a simplified process  
23 similar to that of process 350 of **FIGURE 9**. However, in process 400, a single click  
24 of the "send to friend" icon 336 initiates the creation and/or attachment of the music  
25 sample file at 376. Control then passes to 404 where the email is addressed to  
26 one or more default recipients. A default message (e.g., "Here is a song sample  
27 I think you might like.") is inserted at 408 and the email is sent at 410 without any  
28 user intervention after clicking "send to friend". Of course, this presupposes that  
29 there has been an initial creation of default messages, default recipients, etc. In

1 accordance with the embodiment of process 400, a predefined list of recipients  
2 automatically receives the music sample whenever the user clicks on the "send to  
3 friend" icon 336 with no further action required by the user. Those skilled in the art  
4 will recognize that numerous variations of this process are possible wherein, for  
5 example, a default message and recipient list is provided but the user is given the  
6 opportunity to edit them prior to actually sending the email. (For example, a  
7 window can be displayed giving the user, e.g., 5 seconds to click a button to  
8 change from defaults. Otherwise, the default message is sent to the default  
9 recipient along with the sample.) Moreover, process 350 and process 400 can be  
10 varied as to the order of the specific operations carried out without departing from  
11 the invention.

12 **FIGURE 11** illustrates another use for the music sample created as  
13 previously described within the context of conventional electronic mail. **FIGURE 11**  
14 shows a window used to create electronic mail message in an exemplary email  
15 software application. This exemplary user interface is similar to that used by  
16 numerous commercially available email applications and includes conventional  
17 addressing and editing functions as well as an "attach" icon 434 plus an "attach  
18 menu" icon 438. In this embodiment, the "attach" icon 434 is used to attach a  
19 default music sample and message to the current email. The "attach menu" icon  
20 438 is used to produce the default attachment and determine that it is to be sent  
21 to all emails or simply the emails selected using the "attach" icon 434.

22 Referring now to **FIGURE 12**, "attach menu" icon 438 can be utilized to  
23 produce a drop down "attach" menu 440, and simplifies the process of attaching  
24 music sample files to an email message. In this embodiment, the drop down menu  
25 440 permits the user to select a particular music file for attachment at 442 and  
26 provides the option of attaching the sample to a single email at 444 or to save the  
27 attachment as a default to be attached to all outgoing emails at 446 or whenever  
28 icon 434 is selected from within an email document. The "select file to attach"  
29 selection 442 can operate using a conventional browsing function as is commonly

1 provided in Microsoft Windows compatible applications or using any other suitable  
2 mechanism. Selections 444 and 446 may provide access to a text editing function  
3 for providing a remark or comment to be attached as, for example, a footer to the  
4 email along with the sample file and further determines that the sample is attached  
5 to a single email or all emails. Whenever 444 or 446 is selected, the attachment  
6 created becomes the default attachment if so desired by the user (e.g., by checking  
7 a "default attachment" box in the attachment creation process) until cleared using  
8 selection 448. Whenever 446 is selected, the attachment including a music  
9 sample is attached to all emails sent out by the user until the selection is changed.

10 **FIGURE 13** illustrates a completed email message including a footer-like  
11 comment 452 regarding the music sample attachment and a music sample file  
12 illustrated as an icon 456 which the recipient of the email can click (e.g., with a  
13 mouse) in order to play or save the sample file.

14 **FIGURE 14** illustrates another embodiment of a completed file in which  
15 rather than sending a sample file such as 456, the user is able to provide a footer  
16 including a text message 466 along with a Universal Resource Locator (URL) 470  
17 that directs the recipient to a web site or web page on the Internet identified by URL  
18 470. In this example, the URL 470 will, in one embodiment, provide the user with  
19 a streaming audio sample of the song desired. In this case, the song sample might  
20 be provided by a record company, record production company, retail music outlet,  
21 electronic retailer (e-tailer), etc. and may also provide the recipient with access to  
22 a purchase option and/or other information regarding the music selection being  
23 sampled.

24 The format of email 430 described in connection with **FIGURE 14** is also  
25 conducive to an email music marketing arrangement as illustrated in **FIGURE 15**.  
26 **FIGURE 15** illustrates an Enterprise network 500, which might represent a music  
27 company, retail establishment, e-tailer or other Enterprise with interests in  
28 promoting a particular recording. The Enterprise includes a network 502 of  
29 computers attached by some common local network and/or wide area network,

wiring arrangement illustrated as 504. Attached to this network may be a plurality of client computers and servers shown as 506 and 508. In addition, the Enterprise utilizes an Enterprise email server 510 having an associated database 516. For Enterprise 500, all electronic mail passes through the Enterprise email server 510 and is then either routed back to internal computers for the target address or sent out over the Internet 520 or other suitable network to reach destination computers such as 522, 524 and 526. In accordance with this embodiment, if the Enterprise wishes to promote a particular artist, the Enterprise email server 510 can be utilized to attach a footer to each outgoing email message incorporating a music sample or URL to a particular music sample. In this manner, the Enterprise can capitalize upon hundreds or thousands of electronic email messages going out each day from the Enterprise to various recipients as a marketing tool to further promote a particular artist.

**FIGURE 16** illustrates a process 550 as just described wherein the email server is started at 552 and then awaits receipt of a new outgoing email from a client computer at 554. Once a new email message is received from a client computer for distribution either internally (if desired) or over Internet 520, a music sample attachment (or URL to a sample) is retrieved at 560 from the servers storage system 516. The email message is then appended to the email at 564 before forwarding the email to the recipient at 570. Thus, each email transmitted by the Enterprise can be used as a marketing tool for a particular artist. If desired, the particular song sample being sent can be varied randomly, in accordance with time or according to any other suitable scheme that fits the marketing strategy of the Enterprise.

In another embodiment consistent with the present invention, the general population can be enlisted as marketers for music marketing. Referring back to **FIGURE 14**, an email message as illustrated can be used as a basis to accumulate affinity points (similar to frequent flyer miles or hotel club miles) for participating in promotion of a favorite artist. Consider, for example, that the sender (Bob) of email

1       430 signs up with a music marketing concern to help promote their music. By  
2       sending music samples out along with all of Bobs' email, he may generate interest  
3       in the song and album from which a particular sample is taken. In this case, Bob  
4       may, for example, register his own samples with the music marketing concern or  
5       may receive the samples periodically by email or from a web site, for example, from  
6       the marketing concern. A process such as that illustrated in **FIGURE 17** can then  
7       be used to accumulate "credits" for an affinity program associated with the music  
8       marketing concern. Such credits may, for example, provide the user with  
9       discounts, free merchandise or contest entries from the marketer to encourage the  
10      distribution of samples.

11      Process 600 starts at 602 after which the sender sends an email to a  
12      recipient with the email including a Universal Resource Locator to a music sample  
13      at 606. Upon receipt of this email, the recipient may use the URL at 610 to visit an  
14      electronic commerce server at the site with the music sample and either receive  
15      a download of the music sample or receive the music sample as a streaming audio  
16      sample from the site at 614. The site also may provide a purchase option at 620  
17      to the sample recipient as well as providing other information and/or offers. At 624,  
18      if the recipient decides to make a purchase, the sender may receive an affinity  
19      credit based upon the purchase at 630. The process ends at 634.

20      There are many ways of implementing the process just described. For  
21      example, the recipient may be required to supply the email address of the sender  
22      of the email in order for the recipient to receive a discount toward the purchase of  
23      the music selection or other purchases at the web site. This provides the merchant  
24      with the sender's identifying information so that the sender's account can be  
25      credited with affinity credits. In another embodiment, invoking the URL 470 actually  
26      invokes a Java applet which extracts the source of the email and forwards it to the  
27      web site in a manner transparent to the user as the user is directed to the web site  
28      to receive this streaming audio sample. Those skilled in the art will recognize that  
29      there are many other ways of implementing the present invention.

1           **FIGURE 18** illustrates a variation of the embodiment shown in **FIGURE 17**  
2       as process 650 starting at 654. At 656 the sender sends an email to the recipient  
3       including an actual music sample plus a URL that directs the user to a web site  
4       wherein a full copy of the selection can be purchased. At 660 the recipient plays  
5       the music sample and at 666 the recipient uses the URL to separately go to a site  
6       with information and purchase options. Should the recipient make a purchase at  
7       670, the sender receives credits from the site to his affinity account based upon the  
8       purchase at 674 and the process ends at 680. A sample email illustrating use of  
9       a URL as well as a music sample is illustrated in **FIGURE 19**. In this illustration,  
10      the footer also includes remarks 452 as well as an icon 456 for accessing the  
11      music sample. In addition, the remarks include a link to a web site 690 where the  
12      user can make a purchase of the full selection.

13       The mechanics of an actual purchase, as well as the nature of the sample  
14      can be varied in many ways without departing from the present invention. For  
15      example, the sample may be a small part of a full file containing the entire music  
16      selection. In such an embodiment only a small portion of the file is readily available  
17      for play by the recipient. In order to make the purchase of the full version of the  
18      music selection; the user need not download a full copy since a full copy is already  
19      available. The user merely purchases a key used to decrypt the song. Numerous  
20      variations on this theme are also possible. For example, the entire file may be  
21      available for sampling in its entirety with an encryption function that only permits  
22      one play until it is decrypted after paying for the music.

23       Those skilled in the art will recognize that the present invention has been  
24      described in terms of exemplary embodiments based upon use of a programmed  
25      processor such as that residing in a personal computer or personal music player  
26      at the user side and an electronic commerce server at the various URLs described.  
27      However, the invention should not be limited to software embodiments, since the  
28      present invention could be implemented using hardware component equivalents  
29      such as special purpose hardware and/or dedicated processors which are

1 equivalents to the invention as described and claimed. Similarly, general purpose  
2 computers, microprocessor based computers, micro-controllers, optical computers,  
3 analog computers, dedicated processors and/or dedicated hard wired logic may be  
4 used to construct alternative equivalent embodiments of the present invention.

5 Those skilled in the art will appreciate that the program steps used to  
6 implement the embodiments described above can be implemented using disc  
7 storage as well as other forms of storage including Read Only Memory (ROM)  
8 devices, Random Access Memory (RAM) devices; optical storage elements,  
9 magnetic storage elements, magneto-optical storage elements, flash memory, core  
10 memory and/or other equivalent storage technologies without departing from the  
11 present invention. Such alternative storage devices should be considered  
12 equivalents.

13 The present invention is preferably implemented using a programmed  
14 processor executing programming instructions that are broadly described above in  
15 flow chart form and which can be stored in any suitable electronic storage medium.  
16 However, those skilled in the art will appreciate that the processes described above  
17 can be implemented in any number of variations and in many suitable  
18 programming languages without departing from the present invention. For  
19 example, the order of certain operations carried out can often be varied, and  
20 additional operations can be added without departing from the invention. Error  
21 trapping can be added and/or enhanced and variations can be made in user  
22 interface and information presentation without departing from the present invention.  
23 Such variations are contemplated and considered equivalent.

24 While the invention has been described in conjunction with specific  
25 embodiments, it is evident that many alternatives, modifications, permutations and  
26 variations will become apparent to those skilled in the art in light of the foregoing  
27 description. Accordingly, it is intended that the present invention embrace all such  
28 alternatives, modifications and variations as fall within the scope of the appended  
29 claims.

30 What is claimed is: